

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL NO. <u>15-1515 RB</u>
)	
vs.)	
)	
TONY CHAPIN PADILLA,)	
)	
Defendant.)	

MOTION TO SET BRIEFING SCHEDULE

The United State respectfully files this Motion to Set Briefing Schedule. On June 26, 2018, this Court sentenced Defendant Toby Padilla to 168 months of imprisonment. Doc. 456. On December 10, 2020, the defendant filed two pro se motions: (1) a motion for compassionate release under 18 U.S.C. 3582 (c)(1)(A), as amended by the First Step Act of 2018, Doc. 520, and (2) a motion to appoint counsel. Doc. 521. On December 14, 2020, the Court entered an order appointing counsel to assist in the filing of a supplemental motion for compassionate release. Doc. 522. The docket does not reflect that counsel has been appointed yet.

Based on the foregoing, the United States respectfully requests that the Court set a briefing schedule including a date by which the defendants' supplemental motion shall be due and a date by which the United States' consolidated response to the defendants' pro se motion and his supplemental motion shall be due.

Respectfully submitted,

JOHN C. ANDERSON
United States Attorney
/s/ **Electronically filed 12/22/20**
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I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Additionally, a copy has been mailed to defendant, Toby Chapin Padilla on this date via United States Postal Service to Toby Chapin Padilla, #29956-051 Big Spring FCI, 1900 Simler Ave, Big Spring, TX 79720.

/s/ **Electronically Filed 12/22/20**

RICHARD C. WILLIAMS

Assistant United States Attorney